

STATE OF VERMONT
DRUG RECOGNITION EVALUATION
DPS 339



Rolling Log No. 10-3-38 Case Number 10A101024

Page 1 of 3 TO BE COMPLETED BY D.R.E. TRAINED PERSONNEL

Offense(s) Charged DUID

Name / DOB / Age / Sex / Arresting Officer (Name/Agency)
[REDACTED] / [REDACTED] / 40 / F / OFFICER AUSTIN MIDDLEBURY POLICE DEPT.

Date/Time of Arrest / Breath test results / Time / Instrument # / Date/Time/Location of Examination
3-7-10 / 1142 / .000% / 1140 / AICO IV / 3-7-10 / 1341 / MIDDLEBURY POLICE DEPT.

Admonition of Rights given by? / Rights Waived? / What have you eaten today? / Time? / What have you been drinking? / How much? / Time of last drink?
OFFICER AUSTIN / [X] Yes [] No / NOTHING / / NOTHING / N/A

Time Now? / When did you last sleep? / How long? / Are you sick or injured? / Are you diabetic or epileptic?
2:03 pm / 9pm-7am / 10 hrs / BAD RIGHT LEG / [X] Yes [] No

Do you take insulin? / Do you have any physical defects? / Are you under the care of a doctor/dentist?
[] Yes [X] No / SCOLIOSIS, HEP C, TBI / DENTIST

Are you taking any medication or drugs? / Do you have high blood pressure or heart disease? If yes, describe. / Have you ever had a severe head injury? / Do you have brain damage?
GABAPENTIN, CLONAZEPAM / [X] Yes [] No / I HAVE LOW BLOOD PRESSURE / [X] Yes [] No

Speech / Altitude/behavior / Coordination / Face / Breath/Odors
LOW/RASPY / CYCLIC MOOD SWINGS / POOR / DROOPY / NORMAL

Corrective Lenses / Eyes / Blindness
[] Glasses [X] Contacts [] Hard [X] Soft [] None [X] Normal [] Bloodshot [] Watery [X] None [] Right Eye [] Left Eye

Pupil size / Able to follow stimulus? / Eyelids / (3) One leg stand
[X] Equal [] Unequal (explain) 2.0 mm / [X] Yes [] No / [] Retracted [] Normal [X] Droopy / Count #

Pulse & Time / HGN / Right eye / Left eye / Vertical nystagmus? / Convergence
1. 92, 1349 / Lack of smooth pursuit / [] Yes [X] No / [] Yes [X] No / [] Yes [X] No / [] Yes [X] No
2. 92, 1415 / Max. deviation / [] Yes [X] No / [] Yes [X] No / [] Yes [X] No / [] Yes [X] No
3. 84, 1427 / Angle of onset: [] Resting (0) [] Rapid (35) [] Extreme (45) [] Immediate (0-30) [] Near extreme (40) [X] None

(1) Modified Romberg / (2) Walk and turn / Cannot keep balance / Started too soon / Stopped walking / Missed heel-toe / Stepped off line / Raised arms / Actual steps taken / Type of footwear
[X] Cannot keep balance / [X] Started too soon / [X] Stopped walking / [X] Missed heel-toe / [X] Stepped off line / [X] Raised arms / 11 / 9 / SOCK

Internal clock / Describe turn / Cannot do test (explain)
27 / Estimated as 30 sec. / NORMAL / ATTEMPTED ONE LEG STAND, COULDN'T BALANCE

(4) Right / Finger/Nose / Left / Pupil Size: MM / Nasal area / Oral cavity/Tongue
[] Right [] Left / Draw lines to spots touched / [] Light [] Right Eye [] Left Eye / CLEAR / THICK MUCUS

Room Light / Near Total Darkness / Direct / Comments / Rebound dilation / Reaction to light / Chemical test time: / Witness: / Drug admission? / Examining Officer / I.D. Number / IACP/DRE #
2.5 / 2.5 / 3 / 3 / 2 / 2 / PHOSIS / [] Yes [X] No / [] Normal [] Slow [X] Little or None Visible / [] Blood [X] Refused / TPR GIANZ / RAVELIN / 229 / 15470

Blood pressure / Temperature / Muscle tone / Comments / Drug admission? / Examining Officer / I.D. Number / IACP/DRE # / Agency / Reviewed by / DRE / Opinion of Evaluator
122/72 / 98.6 °F / [] Near Normal [X] Flaccid [] Rigid / "NOTHING TODAY" / RAVELIN / 229 / 15470 / VSP-Williston / LT. [REDACTED] / DRE--Ravelin / [] Medical [] Stimulant [] Dissociative Anesthetic [] Inhalant [] Alcohol [] Depressant [] Hallucinogen [] Narcotic Analgesic [X] Cannabis

04/10/2010

Drug recognition evaluation report/narrative

1: **Location:** The evaluation was conducted at the Middlebury Police Department in the DUI processing room.

2: **Witness:** The entire evaluation was witnessed by T/2C Glanz of the Vermont State Police.

3: **Breath Test:** A sample of [REDACTED] breath was obtained with a result of .000% BrAC at approximately 1140 hours using an Alco IV serial number 042631.

4: **Notification/Interview of A/O:** I was notified by VSP Williston Dispatch that Officer Austin of the Middlebury Police Department was requesting a DRE after responding to a motor vehicle crash. I spoke with Officer Austin by phone. He advised he responded to a motor vehicle collision involving a utility pole. Officer Austin advised it appeared the operator, identified as [REDACTED] did not apply the brakes before driving off the roadway and colliding with the pole. He advised it was a relatively flat and straight section of roadway where the collision had occurred. While speaking with [REDACTED] Officer Austin advised he suspected she was impaired. After obtaining a sample of her breath he requested a DRE. Officer Austin advised a search of the vehicle turned up a small amount of marijuana that was later claimed by [REDACTED] boyfriend to be his.

5: **Initial Observations:** I first observed [REDACTED] sitting in the Middlebury Police Department processing room in a holding cell. She was slumped on the bench with her shoulders rolled forward and her arms wrapped around herself. She was wearing a winter coat. I noted her face and eyelids were droopy. When she spoke her voice was low and raspy.

6: **Medical Problems:** [REDACTED] advised she had a bad right leg and a head injury as a result of domestic assault. She stated she had brain damage as a result. When she attempted the One Leg Stand she advised she also had a bad left leg. [REDACTED] also advised she had scoliosis and was hepatitis C positive.

7: **Psychophysical Tests:** [REDACTED] exhibited impairment though out the psychophysical tests. On the Modified Romberg, [REDACTED] advised she couldn't tilt her head back because it hurt her neck. On the Walk and Turn, [REDACTED] could not balance during instructions. She stepped off line on step number three, missed touching heel to toe on step number seven and took eleven steps when instructed to take nine in the first set of nine steps. On the second set of nine steps, [REDACTED] missed touching heel to toe on steps three and five. She used her arms for balance. On the One Leg Stand, [REDACTED] put her foot down several times while standing on the left foot. She stated she had a leg injury and a head injury and could not do the test. While standing on the right foot she put her foot down on numbers one, two, seven and eleven. [REDACTED] exhibited body tremors while attempting the exercise. She stopped the test on number twelve again stating she had a head injury. On the Finger to Nose, [REDACTED] failed to touch the tip of her finger to the tip of her nose on numbers two and

Subscribed and sworn to before me on

this 24 day of MARCH 2010

[Signature]
(Notary Public) (Judicial Officer)

[Signature]
(Affiant)

3-24-10
(date)

10A101024

Name (Last, First, Middle)

Violations

T 23 VSA 1201(a)(3)

Drug recognition evaluation report/narrative

the pad of her finger on numbers one and three when instructed to use the tip of her finger.

8: **Clinical Indicators:** [REDACTED] exhibited mild ptosis. I noted a lack of convergence in both the left and right eyes. Her pupil size was below normal in near total darkness and at low end of normal in room light and direct light conditions. There was little to no reaction to light. [REDACTED] pulse was above normal on two of the three readings at 92, 92, and 84.

9: **Signs of Ingestion:** Through out the evaluation [REDACTED] exhibited cyclic mood swings. She would cry then become agitated and other times she was cooperative and talkative. No other signs of ingestion were visible.

10: **Statements:** [REDACTED] advised she was prescribed Gabapentin and Clonazepam but had not taken them today.

11: **Opinion of Evaluator:** In my opinion, [REDACTED] was under the influence of Narcotic Analgesics and Cannabis and was unable to operate a motor vehicle safely

12: **Toxicological Sample:** [REDACTED] refused to have a sample of her blood drawn.

13. **Miscellaneous:** I am a Nationally Certified Drug Recognition Expert since July 2008.

Subscribed and sworn to before me on

this 24 day of MARCH 2010

[Signature]
(Notary Public) (Judicial Officer)

[Signature]
(Affiant)
3-24-10
(date)